Docket No. 1293.1161

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Bum-hee LEE

Application No.: 09/764,220   Group Art Unit: 3627

Filed: January 19, 2001   Examiner: Ronald Laneau

For: INTEGRATED MULTI-VENDOR INTERNET SHOPPING MALL MANAGEMENT
      SYSTEM INCLUDING A PLURALITY OF CYBER COMMERCIAL AGENCIES

APPEAL BRIEF UNDER 37 CFR § 41.37

Commissioner for Patents
Board of Patent Appeals and Interferences
United States Patent and Trademark Office
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to the Appellant's earlier filed Notice of Appeal on November 22, 2004, the applicants appealed the Examiner's June 22, 2004, Office Action finally rejecting claims 1-19. Appellant's Brief and a petition for a three-month extension of time together with the requisite fees set forth in 37 CFR § 1.17 are submitted herewith, thus extending the due date for Appellant's Brief to April 22, 2005.

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I. Real Party in Interest (37 CFR §41.37(c)(1)(i))

The real party in interest is Samsung Electronics Co., Ltd., the assignee of the subject application.

II. Related Appeals and Interferences (37 CFR §41.37(c)(1)(ii))

The applicant and the undersigned representative are not aware of any other appeals or interferences that will directly affect or be directly affected by, or have a bearing on, the Board's decision in the pending appeal.

III. Status of Claims (37 CFR §41.37(c)(1)(iii))

Claims 1-19 were originally filed in the application. Claims 1, 3, 8, 13, 15, and 19 are independent claims, and claims 2, 4-7, 9-12, 14, and 16-18 are dependent claims.

In view of the final Office Action mailed June 22, 2004, claims 1-19 stand finally rejected, and are the subject of this appeal.

IV. Status of Amendments (37 CFR §41.37(c)(1)(iv))

All amendments filed have been entered, and no amendments have been filed since the final Office Action mailed June 22, 2004.

In the advisory action mailed November 3, 2004, the Examiner indicated that the rejection of the claims would remain as stated in the final Office action mailed June 22, 2004.

V. Summary of Claimed Subject Matter (37 CFR §41.37(c)(1)(v))

Pursuant to 37 C.F.R. §1.192(c)(5), the presently claimed invention is directed to

Independent claim 1 recites: "1. An integrated Internet shopping mall management system wherein product order information is received at a cyber agency shopping mall corresponding to an offline agency which a customer selects, and the offline agency delivers the ordered product (e.g. p. 4, lines 17-21, p. 5, lines 24-25, p. 6, lines 16-17, and p. 5, lines 10-11), the shopping mall management system comprising: a customer web browser that receives product order information and payment information from the customer and provides the product order information and the payment information through an Internet (e.g. p. 5, lines 21-25); agency web browsers that receive corresponding agency product information from corresponding agencies, provide the corresponding agency product information through the Internet, receive corresponding paid order information through the Internet, and display the corresponding paid order information (e.g. p. 5, lines 7-15); a shopping mall web server that forms a cyber agency shopping mall for each of a plurality of agencies, provides the agency product information received from the agency web browsers corresponding to respective cyber agency shopping malls to the customer web browser organized according to geographic information of the respective plurality of agencies, and receives the product order information from the customer web browser through the Internet (e.g. p. 5, line 26 – p. 6, line 2, p. 6, lines 12-17, FIGS. 3A-3C, and p. 7, lines 17-29); and a payment server that receives the product order information from the shopping mall web server and, after receiving the payment information from the customer web browser through the Internet, handles the payment information for the order (e.g. p. 5, lines 21-25 and p. 6, lines 29-32)."

Independent claim 3 recites: "3. An integrated Internet shopping mall server system providing web services in an environment connected to an Internet (e.g. p. 4, lines 17-21, and p. 5, line 26 – p. 6, line 2), the server system comprising: an agency connecting unit receiving agency product information from corresponding agency web browsers through the Internet, relating a plurality of offline agencies according to geographic information for display according to a geographic input received from a connected customer web browser, and providing paid order information to the corresponding agency web browser through the Internet (e.g. p. 6, lines 3-7, and 12-17); a plurality of cyber agency web servers corresponding to the plurality of offline agencies, that, after receiving the agency product information from the agency connecting unit, provide the information to the connected customer web browser according to the agency connecting unit (e.g. p. 6, lines 8-12, and 18-21); a customer order handling unit receiving order

information from the customer web browser (e.g. p. 6, lines 27-28); and a payment server receiving payment information from the customer web browser and handling the payment information for the order (e.g. p. 6, lines 29-32)."

Independent claim 8 recites: "8. An integrated Internet shopping mall management method wherein product order information is received (e.g. p. 6, lines 28-29) at a cyber agency shopping mall corresponding to an offline agency (e.g. p. 6, lines 18-19), which a customer selects (e.g. p. 6, lines 16-17), receives product order information, and a selected one of the plurality of agencies delivers an ordered product (e.g. p. 5, lines 10-11, and p. 9, lines 1-3), the shopping mall management method comprising: receiving, through the Internet, agency product information of the agencies from an agency web browser corresponding to each agency (e.g. p. 6, lines 3-7); providing, on request of a customer web browser, an organization of the agencies according to geographic information of the agencies and from which the customer selects in order to select the agency, and providing agency product information of the selected agency to the customer web browser through an Internet (e.g. p. 6, lines 12-17, and p. 7, lines 17-29); receiving product order information and payment information from the customer web browser through the Internet, and handling payment for the order (e.g. p. 6, lines 27-32); and on request of the agency web browser, providing paid order information of the corresponding agency, to the agency web browser through the Internet (e.g. p. 6, lines 3-7)."

Independent claim 13 recites: "13. A computer readable recording medium having recorded a computer program (e.g. p. 9, lines 13-21) of an integrated Internet shopping mall server (e.g. p. 6, lines 28-29) wherein product order information is received at a cyber agency shopping mall (e.g. p. 6, lines 18-19) corresponding to a selected one of a plurality of offline agencies, which a customer selects (e.g. p. 6, lines 16-17), and agencies, one of which corresponds to the selected cyber agency, delivers an ordered product (e.g. p. 5, lines 10-11, and p. 9, lines 1-3), wherein the server program comprises: a module that receives, through an Internet, product information for the agencies from agency web browsers corresponding to the plurality of agencies (e.g. p. 9, lines 22-24); a module that displays on a customer web browser a list of cyber agencies organized by geographic information of the agencies and receives a selection of the one of the listed cyber agencies (e.g. p. 9, lines 25-27, and p. 7, lines 20-29); a module that provides a list of products offered by the selected cyber agency to the customer web browser through the Internet (e.g. p. 9, lines 25-27); a module that receives product order information from the customer web browser through the Internet (e.g. p. 9, lines 27-29); and a module that, on request of the agency web browser of the corresponding one agency, provides

a paid order information of the corresponding one agency, to the agency web browser of the corresponding one agency through the Internet (e.g. p. 9, lines 30-32)."

Independent claim 15 recites: "15. An integrated Internet shopping mall management system (e.g. p. 4, lines 17-18) comprising: a shopping mall server that provides a cyber agency shopping mall for a plurality of agencies (e.g. p. 5, lines 7-15) comprising: a customer portion that provides product information and receives a product order from a customer (e.g. p. 5, lines 21-24); and an agency portion that receives the product information from the plurality of agencies over an Internet, displays the agencies according to geographic information of the agencies through the customer portion, and provides paid order information to the agencies (e.g. p. 5, lines 7-9, p. 6, lines 12-17, and p. 5, lines 9-11); and a payment server that receives the product order from the shopping mall server (e.g. p. 8, lines 19-22, FIG. 4, and p. 9, lines 28-29) and payment information from the customer (e.g. p. 8, lines 23-25), handles the payment information for the product order, and sends paid order information to the shopping mall server (e.g. p. 8, lines 28-31, and p. 9, lines 29-30)."

And independent claim 19 recites: "19. An apparatus for conducting commerce, comprising: an agency product information database, maintained by each of a plurality of agencies, containing at least one of product information, detailed product information and an agency notice to customers for each of the agencies (e.g. p. 6, lines 3-7, and p. 5, lines 16-17); an agency information handling unit that provides information from the agency product information database to at least one integrated shopping mall over an Internet (e.g. p. 6, lines 18-26), the integrated shopping mall providing a listing of agencies organized according to geographic information of the agencies, providing the information to a customer according to an input of desired geographic information received from the customer (e.g. p. 6, lines 12-17, and p. 7, lines 17-29) accepting a customer order related to the provided information to the customer according to a selection of the customer (e.g. p. 8, lines 17-21); and a paid order handling unit that accepts paid order information from a payment processing unit according to customer order information from the integrated shopping mall and payment information from the customer received at the payment processing unit (e.g. p. 8, lines 22-31)."

VI. Grounds Of Rejection To Be Reviewed On Appeal (37 CFR §41.37(c)(1)(vi))

The grounds of rejection for review are:

(A) claims 1, 3-6, 8-10, 13-15, and 17-19 under 35 U.S.C. §102(b) as being anticipated by the Internet version of eShop (Eshop Technology Overview, Recent Press Releases – eShop in the News", and eSHOP Technology Merchant Manual);

(B) claims 1, 3-6, 8-10, 13-15, and 17-19 under 35 U.S.C. §102(b) as being anticipated by Blinn et al. (US 5,897,622);

(C) claims 1, 3-6, 8-11, 13-16, 18, and 19 under 35 U.S.C. §103(a) as being unpatentable over Kondoh et al. (2001/0056377) in view of Moore (6,330,575);

(D) claims 2, 7, and 12 under 35 U.S.C. §103(a) as being unpatentable over eShop the product or Blinn et al. (US 5,897,622) or Kondoh et al. (2001/0056377) in view of Moore (6,330,575), and further in view of Dunworth (US 5,930,474); and

(E) claim 11 under 35 U.S.C. §103(a) as being unpatentable over eShop the product or Blinn et al. (US 5,897,622) or Kondoh et al. (2001/0056377) in view of Moore (6,330,575), and further in view of Sharp et al. (US 6,263,317).

VII. Argument Of Each Ground Of Rejection Presented For Review (37 CFR §41.37(c)(1)(vii)))

A. Rejection of claims 1, 3-6, 8-10, 13-15, and 17-19 under 35 U.S.C. §102(b) as being anticipated by the Internet version of eShop (eShop Technology Overview, Recent Press Releases – eShop in the News", and eSHOP Technology Merchant Manual)

In the Final Office Action mailed June 22, 2004 (hereinafter "the Final OA"), at page 1, item 3, the Examiner rejected claims 1, 3-6, 8-10, 13-15, and 17-19 under 35 U.S.C. §102(b) as being anticipated by the Internet version of eShop (referring to eShop Technology Overview, "Recent Press Releases – eShop in the News", and eShop Technology Merchant Manual – hereinafter collectively referred to as "eShop").

Appellant respectfully submits that the following arguments are substantially similar to the arguments presented in the Response filed September 17, 2004.

The Final OA appears to repeat the arguments presented in the Office Action of October 7, 2003 without addressing the Amendment of January 7, 2004 or the claims as presented therein.

Independent claim 1 recites, among other features, a shopping mall web server that "provides the agency product information...to the customer web browser organized according to geographic information of the respective plurality of agencies...."

Similarly, independent claim 3 recites: "...an agency connecting unit...relating a plurality of offline agencies according to geographic information for display according to a geographic input received from a connected customer web browser...."

Independent claim 8 recites: "...providing, on request of a customer web browser, an organization of the agencies according to geographic information of the agencies and from which the customer selects in order to select the agency...."

Independent claim 13 recites: "...a module that displays on a customer web browser a list of cyber agencies organized by geographic information of the agencies and receives a selection of the one of the listed cyber agencies...."

Independent claim 15 recites: "...an agency portion that...displays the agencies according to geographic information of the agencies through the customer portion...."

And independent claim 19 recites: "...the integrated shopping mall providing a listing of agencies organized according to geographic information of the agencies, providing the information to a customer according to an input of desired geographic information received from the customer, accepting a customer order related to the provided information to the customer according to a selection of the customer...."

As noted by the applicant in the Amendment filed January 7, 2004, eShop neither discloses nor suggests organizing the store fronts of eShop according to geographical information.

Further, a review of the rejection on pages 1-2 of the Final OA reveals that the Examiner does not assert that such an organization exists.

Moreover, the Examiner's explanation of the continued rejection of claim 1 on page 12 of the Final OA does not contest or address this feature of the invention as recited in claim 1. As such, it is unclear from the record as to which portion of the eShop the Examiner asserts corresponds to the recited features including the above-noted feature of claim 1. Thus, Appellant respectfully submits that the Examiner has not provided sufficient evidence that the eShop anticipates each claim feature, as is required to maintain a prima facie anticipation rejection of claims 1, 3-6, 8-10, 13-15, and 17-19 under 35 U.S.C. §102.

Indeed, the Examiner even states, on page 10 of the Final OA (hereinafter "the Examiner's page 10 statement"), that "[n]one of eShop, Blinn, nor Kondoh in view of Moore teach that the plurality of cyber agencies are divided according to regions in which each offline agency is located such that, when the customer selects one of the regions in a map displayed – by the cyber agency connecting unity through the customer web browser, the hyperlinks of all the cyber agency web servers related to the region are displayed, and the customer is enabled to select the cyber agency web server corresponding to the offline agency the customer wants."

Further, in maintaining all the rejections in the Final OA, in the Advisory Action mailed November 3, 2004, the Examiner asserts that one could be shopping at a store (e.g. Macy's) over the internet and be able to pick up the item from a closest store to save on shipping. But the Examiner fails to indicate where such a feature can be found in any of the cited references, or otherwise in the prior art.

Accordingly, Appellant respectfully submits that the subject matter of independent claims 1, 3, 8, 13, 15, and 19 is not disclosed in eShop. Additionally, Appellant respectfully submits

that the subject matter of claims 4-6, 9, 10, 14, 17, and 18 are not disclosed in eShop at least due to their depending from corresponding, independent claims 3, 8, 13, and 15.

B. Rejection of claims 1, 3-6, 8-10, 13-15, and 17-19 under 35 U.S.C. §102(b) as being anticipated by Blinn et al. (US 5,897,622)

In the Final OA, at pages 2-6, the Examiner rejected claims 1, 3-6, 8-10, 13-15, and 17-19 under 35 U.S.C. §102 in view of Blinn et al. (U.S. Patent No. 5,897,622 – hereinafter Blinn '622).

Appellant respectfully submits that the following arguments are substantially similar to the arguments presented in the Response filed September 17, 2004.

The Final OA appears to repeat the arguments presented in the Office Action of October 7, 2003 without addressing the Amendment of January 7, 2004 or the claims as presented therein. The claim charts appearing in the rejection do not set forth the claims as presented in the Amendment of January 7, 2004.

As a point of clarification, it appears from the Examiner's citation of FIGS. on pages 2-6, and 12, that the Examiner is comparing the claims against related patent, Blinn et al. (U.S. Patent No. 5,999,914 – hereinafter Blinn '914), since Blinn '622 does not include a FIG.1A or a FIG. 1B. Therefore, both Blinn '622 and Blinn '914 will be addressed individually.

As noted above, independent claim 1 recites, among other features, a shopping mall web server that "provides the agency product information...to the customer web browser organized according to geographic information of the respective plurality of agencies...."

For brevity, the text of independent claims 3, 8, 13, 15, and 19 are not recited again. Additionally, while the following arguments are applicable to independent claims 3, 8, 13, 15, and 19, for brevity, the arguments reference only claim 1.

A review of Blinn '622, such as at FIG. 6, does not reveal that geographic information of a particular merchant is stored in the database 121, to be displayed or affect the organization of a display of the page generated by the dynamic page generator 125, and displayed on a customer browser 122. (See Blinn '622, at col. 6, lines 26-65, and FIG. 2).

Moreover, a review of the Blinn '914 does not reveal that the address or geographical information of the merchant is used to display or organize product information on a page generated by the dynamic page generator 110, but instead discloses displaying registration

information, product offerings, promotional advertisements, and order forms. (See Blinn `914, at col. 9, lines 45-53).

Additionally, on page 12 of the Final OA, in responding to Applicant's arguments submitted in the Amendment filed January 7, 2004, the Examiner does not point to which feature of Blinn `622 (or Blinn `914) corresponds to the recited invention as presented. Instead, the Examiner merely repeats the rejection found on pages 2-6 of the Final OA without additional comment reflecting the claims as presented herein, and in the Amendment filed January 7, 2004.

On page 12 of the Final OA, the Examiner states that FIG. 1A of Brynn et al. (presumably either Blinn `622 or Blinn `914, though Blinn `914 was nowhere cited as a reference) discloses a merchant store server 30 of FIG. 1A for each of a plurality of agencies, provides the agency product information, and receives the order information from the customer web browser through the internet at order processing module 130 of FIG. 1B. But the Examiner does not assert, either on pages 2-6 or on page 12 of the Final OA, which portion of the merchant store server 30 "provides the agency product information...to the customer web browser organized according to geographic information of the respective plurality of agencies " as does the shopping mall web server recited in claim 1.

As such, Appellant respectfully submits that the Examiner has not provided sufficient evidence that Blinn `622 (or Blinn `914) anticipates each claim feature, as is required to maintain a prima facie anticipation rejection of claim 1 under 35 U.S.C. §102.

Thus, consistent with the Examiner's page 10 statement, Appellant respectfully submits that neither Blinn `622 nor Blinn `914 discloses or suggests a shopping mall web server that "provides the agency product information...to the customer web browser organized according to geographic information of the respective plurality of agencies," as recited in claim 1.

For at least similar reasons, Appellant respectfully submits that neither Blinn `622 nor Blinn `914 discloses or suggests the invention recited in independent claims 3, 8, 13, 15, and 19. Additionally, Appellant respectfully submits that the subject matter of claims 4-6, 9, 10, 14, 17, and 18 are not disclosed in Blinn `622 or Blinn `914, at least due to their depending from corresponding, independent claims 3, 8, 13, and 15.

C. Rejection of claims 1, 3-6, 8-11, 13-16, 18, and 19 under 35 U.S.C. §103(a) as being unpatentable over Kondoh et al. (2001/0056377) in view of Moore (6,330,575)

In the Final OA at page 6, item 5, the Examiner rejected claims 1, 3-6, 8-11, 13-16, 18, and 19 under 35 U.S.C. §103(a) in view of Kondoh et al. (U.S. Patent Publication No. 2001/56377 – hereinafter Kondoh) and Moore et al. (U.S. Patent No. 6,330,575 – hereinafter Moore).

Appellant respectfully submits that the following arguments are substantially similar to the arguments presented in the Response filed September 17, 2004.

The Final OA appears to repeat the arguments presented in the Office Action of October 7, 2003 without addressing the Amendment of January 7, 2004 or the claims as presented therein.

As noted above, independent claim 1 recites, among other features, a shopping mall web server that "provides the agency product information...to the customer web browser organized according to geographic information of the respective plurality of agencies...."

For brevity, the text of independent claims 3, 8, 13, 15, and 19 are not recited again. Additionally, while the following arguments are applicable to independent claims 3, 8, 13, 15, and 19, for brevity, the arguments reference only claim 1.

Kondoh discloses a cyber shop client that defines cyber shop definition information using a shop layout defining unit, an electronic shopping cart electronic form defining unit, and a goods registering unit. Kondoh also discloses a cyber mall server that generates cyber shop information on the basis of the cyber shop definition information from the cyber client by a shop layout registering unit, an electronic shopping cart electronic form registering unit, and a goods storing unit. Further, Kondoh discloses that the cyber mall server generates display information from the cyber shop information composed of a shop management database, a shop layout database, an electronic shopping cart electronic form database, an electronic shopping cart database, and a goods database by a parameter analyzing unit, a file retrieving unit, and a display data generating unit. (See Kondoh, at Abstract). But Kondoh neither discloses nor suggests the features as recited in claim 1.

Moore discloses methods and systems for designing a web page, to be hosted on a web page server. Development applications provide an object-oriented, template-driven interface for a customer or merchant to utilize in the design of a web page or a complete web site. Such a

web site would allow a merchant to become a part of a distributed electronic commerce system or Internet commerce system for doing business on the world wide web. (See Moore, at Abstract). But Moore neither discloses nor suggests the features as recited in claim 1.

The Examiner's page 10 statement appears to agree with Appellant's position that neither Kondoh nor Moore, either alone or in combination, disclose or suggest the features as recited in claim 1.

Further, in responding to Applicant's arguments submitted in the Amendment filed January 7, 2004, on page 12 of the Final OA, the Examiner acknowledges that the applicant traversed the rejection, but does not contend that the combination of Kondoh and Moore discloses the features as recited in claim 1. Instead, the Examiner asserts that the limitations of claim 1 are met by the teachings of Brynn et al. (presumably either Blinn `622 or Blinn `914, though Blinn `914 was nowhere cited as a reference). Since neither Blinn `622 nor Blinn `914 is used in the above noted rejection, it is unclear as to what combination is being asserted. Further, since the Examiner's comments do not address the asserted combination, which does not include either Blinn `622 or Blinn `914, the Examiner has not rebutted or addressed the Amendment of January 7, 2004.

Appellant respectfully submits that the Examiner has not provided sufficient evidence that the cited combination discloses the features of the claimed invention, as is required to maintain a prima facie obviousness rejection of claim 1. (See MPEP, at 2143).

Additionally, Appellant respectfully submits that neither Kondoh nor Moore, either alone or in combination, disclose or suggest the features as recited in claim 1. Similarly, Appellant respectfully submits that neither Kondoh nor Moore, either alone or in combination, disclose or suggest the features as recited in independent claims 3, 8, 13, 15, and 19. Further, Appellant respectfully submits that the subject matter of claims 4-6, 9, 10, 14, 17, and 18 are neither disclosed nor suggested in either Kondoh or Moore, alone or in combination, at least due to their depending from corresponding, independent claims 3, 8, 13, and 15.

D. Rejection of claims 2, 7, and 12 under 35 U.S.C. §103(a) as being unpatentable over eShop the product or Blinn et al. (US 5,897,622) or Kondoh et al. (2001/0056377) in view of Moore (6,330,575), and further in view of Dunworth (US 5,930,474)

In the Final OA, at page 10, item 6, the Examiner rejects claims 2, 7, and 12 under 35 U.S.C. §103(a) in view of eShop, Blinn '622, or Kondoh in view of Moore, and Dunworth et al. (U.S. Patent No. 5,930,474 – hereinafter Dunworth).

Appellant respectfully submits that the following arguments are substantially similar to the arguments presented in the Response filed September 17, 2004.

On page 12 of the Final OA, in response to arguments set forth in the Amendment filed January 7, 2004, the Examiner asserts that it would have been obvious to use the mapping system of Dunworth to have a good shipped home since it is more convenient to have the good shipped home instead of picking up the good, thereby cutting the traveling time to locate the exact address of the good.

As a point of clarification, and as similarly noted in Amendment filed January 7, 2004, Dunworth is drawn to a mapping system in which a web organizer server 114 provides users with a geographically organized perspective of available information. Using the server 114, the user can find a geographically convenient location for the appropriate good (e.g., a book), and avoid locating the good in an undesirable location that would require the user to travel for hours to obtain the good. (See Dunworth, at col. 7, lines 5-29). Thus, the utility of the mapping information in Dunworth is disclosed as being to reduce travel time where the user opts to pickup the good at the merchant. There is no suggestion as to why one of ordinary skill in the art would use the mapping information in the context of internet based purchases in which the merchant is to ship the purchased good, such as those disclosed in eShop, Blinn '622, or the Examiner's constructed combination of Kondoh and Moore.

Specifically, the user already realizes the advantage suggested by the Examiner in eShop, Blinn '622, or the Examiner's constructed combination of Kondoh and Moore without using the mapping information of Dunworth, since each of these services discloses shipping the product instead of having the customer pickup the product. It is unclear from the record as to the benefit suggested in the prior art that would be conferred by using the mapping information of Dunworth instead of merely shipping the product regardless of location as suggested in eShop, Blinn '622, or the Examiner's constructed combination of Kondoh and Moore. Therefore, there remains insufficient evidence of record as to why one of ordinary skill in the art

would use the mapping information of Dunworth, which is used to shorten travel time where a customer is to pickup a good, in the systems disclosed in eShop, Blinn `622, or the Examiner's constructed combination of Kondoh and Moore, which disclose shipping the good instead of requiring the user to pickup the good.

Further, the Examiner provides no evidence that the motivation set forth on page 12 of the Final OA existed in the prior art.

Accordingly, Appellant respectfully submits that there is insufficient evidence of record to maintain a prima facie obviousness rejection of claims 2, 7, and 12 in view of eShop, Blinn `622, or Kondoh in view of Moore, and Dunworth under 35 U.S.C. §103.

E. Rejection of claim 11 under 35 U.S.C. §103(a) as being unpatentable over eShop the product or Blinn et al. (US 5,897,622) or Kondoh et al. (2001/0056377) in view of Moore (6,330,575), and further in view of Sharp et al. (US 6,263,317)

In the Final OA, at pages 11-12, the Examiner rejects claim 1 under 35 U.S.C. §103(a) in view of eShop, Blinn `622, or Kondoh in view of Moore, and Sharp et al. (U.S. Patent No. 6,263,317 – hereinafter Sharp).

Appellant respectfully submits that the following arguments are substantially similar to the arguments presented in the Response filed September 17, 2004.

As a point of clarification, the features set forth in the Office Action on page 11 are not recited in claim 1, and Appellant assumes that the Examiner intended to reject claim 11 instead of claim 1 using the above combination. This position is consistent with the Office Action mailed October 7, 2003.

If this assumption is incorrect, Appellant respectfully submits that, since Sharp is not relied on as curing the above-noted deficiency of eShop, Blinn `622, or Kondoh in view of Moore as applied to claim 1, that the combination of eShop, Blinn `622, or Kondoh in view of Moore, and Sharp does not disclose or suggest the invention as recited in claim 1.

If this assumption is correct, the Examiner does not rely upon Sharp as curing the above-noted deficiency of eShop, Blinn `622, or Kondoh in view of Moore as applied to claim 8. Thus, Appellant respectfully submits that the subject matter of claim 11 is neither disclosed nor suggested in eShop, Blinn `622, or Kondoh, Moore, or Sharp, either alone or in combination, due at least to the failure of the combination of eShop, Blinn `622, or Kondoh in view of Moore,

and Sharp to disclose or suggest the invention as recited in claim 8, from which claim 11 depends.

VIII. Conclusion:

In view of the law and facts stated herein, the Appellant respectfully submits that the reference cited by the Examiner is insufficient to maintain either an obviousness rejection of the rejected claims. Appellant respectfully urges that the rejection of claims 1, 3-6, 8-10, 13-15, and 17-19 under 35 U.S.C. §102(b), and claims 1-16, 18, and 19 under 35 U.S.C. §103(a) is improper. Reversal of the rejections in this appeal is respectfully requested.

The Commissioner is hereby authorized to charge any additional fees required in connection with the filing of the Appeal Brief to our Deposit Account No. 19-3935.

Respectfully submitted,

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Date: _4/22/05_

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IX. Claims Appendix (37 CFR § 41.37(c)(1)(viii))

1.   (Previously Presented) An integrated Internet shopping mall management system wherein product order information is received at a cyber agency shopping mall corresponding to an offline agency which a customer selects, and the offline agency delivers the ordered product, the shopping mall management system comprising:

a customer web browser that receives product order information and payment information from the customer and provides the product order information and the payment information through an Internet;

agency web browsers that receive corresponding agency product information from corresponding agencies, provide the corresponding agency product information through the Internet, receive corresponding paid order information through the Internet, and display the corresponding paid order information;

a shopping mall web server that forms a cyber agency shopping mall for each of a plurality of agencies, provides the agency product information received from the agency web browsers corresponding to respective cyber agency shopping malls to the customer web browser organized according to geographic information of the respective plurality of agencies, and receives the product order information from the customer web browser through the Internet; and

a payment server that receives the product order information from the shopping mall web server and, after receiving the payment information from the customer web browser through the Internet, handles the payment information for the order.

2.   (Previously Presented) The integrated Internet shopping mall management system of claim 1, wherein the agencies are divided according to regions in which each offline agency is physically located, and the shopping mall server further displays a map on the customer web browser such that, when the customer selects one of the regions in the map, hyper links of all the cyber agency web servers related to the selected one region are displayed, and the customer selects one of the cyber agency web servers having the displayed hyper links corresponding to the desired offline agency.

3.   (Previously Presented) An integrated Internet shopping mall server system providing web services in an environment connected to an Internet, the server system comprising:

an agency connecting unit receiving agency product information from corresponding agency web browsers through the Internet, relating a plurality of offline agencies according to geographic information for display according to a geographic input received from a connected customer web browser, and providing paid order information to the corresponding agency web browser through the Internet;

a plurality of cyber agency web servers corresponding to the plurality of offline agencies, that, after receiving the agency product information from the agency connecting unit, provide the information to the connected customer web browser according to the agency connecting unit;

a customer order handling unit receiving order information from the customer web browser; and

a payment server receiving payment information from the customer web browser and handling the payment information for the order.

4.   (Original) The server system of claim 3, further comprising:

a cyber agency connecting unit having at least one hyper link corresponding to at least one web page provided by the plurality of cyber agency web servers, and that connects one of the cyber agency web servers decided by selection information received from the customer web browser, to the customer web browser.

5.   (Original) The server system of claim 3, wherein the agency product information includes at least one of a list of products each agency wants to sell and a notice each agency gives to customers.

6.   (Original) The server system of claim 3, further comprising:

a detailed product information database that stores detailed information of all products the plurality of agencies want to sell; and

a detailed product information displaying unit that provides detailed information retrieved from the detailed product information database, to the customer web browser.

7.   (Previously Presented) The server system of claim 3, wherein the plurality of cyber agencies are divided according to regions in which each offline agency is physically located, wherein the agency connecting unit displays a map on the customer web browser such that, when a customer selects one of the regions in the displayed map, hyper links of all the cyber agency web servers related to the region are displayed and hyper links of all cyber agency web servers not related to the region are not displayed, and the customer selects one of the cyber agency web servers corresponding to the offline agency in the region selected by the customer.

8.   (Previously Presented) An integrated Internet shopping mall management method wherein product order information is received at a cyber agency shopping mall corresponding to an offline agency, which a customer selects, receives product order information, and a selected one of the plurality of agencies delivers an ordered product, the shopping mall management method comprising:

receiving, through the Internet, agency product information of the agencies from an agency web browser corresponding to each agency;

providing, on request of a customer web browser, an organization of the agencies according to geographic information of the agencies and from which the customer selects in order to select the agency, and providing agency product information of the selected agency to the customer web browser through an Internet;

receiving product order information and payment information from the customer web browser through the Internet, and handling payment for the order; and

on request of the agency web browser, providing paid order information of the corresponding agency, to the agency web browser through the Internet.

9.   (Original) The management method of claim 8, wherein the providing further comprises:

displaying at least one hyper link corresponding to a web page provided by a selected one of the plurality of cyber agency web servers;

providing, on request of the customer web browser, a list of products the selected agency wants to sell, to the customer web browser through the Internet; and

retrieving, on request of the customer web browser, detailed information on the selected product from a detailed product information database and then providing the detailed information to the customer web browser through the Internet.

10.   (Original) The management method of claim 8, further comprising:

delivering, from the agency, the product to the customer according to the paid order information.

11.   (Original) The management method of claim 8, further comprising:

receiving, when the agency cannot deliver the product according to the paid order information, an information indicating that the agency cannot deliver the product, through the agency web browser;

changing the payment handling information to a changed paid order information for a second selected one of the agencies that has the product to be delivered, and, on request of the agency web browser of the second agency, providing the changed paid order information to the agency web browser of the second agency through the Internet; and

delivering, from the second agency, the product to the customer according to the changed paid order information.

12.   (Previously Presented) The management method of claim 8, wherein the agencies are divided according to regions in which each agency is located, and the providing, on request of the customer web browser, the agency product information comprises displaying a map having the regions, receiving geographic input from the customer web browser indicating that a region in the map has been selected through the customer web browser, displaying hyper links of all the agencies of the selected region and not displaying hyper links of agencies not of the selected region, and receiving a selection from the customer web browser to select one of the agencies corresponding to the selected region.

13.   (Previously Presented) A computer readable recording medium having recorded a computer program of an integrated Internet shopping mall server wherein product order information is received at a cyber agency shopping mall corresponding to a selected one of a plurality of offline agencies, which a customer selects, and agencies, one of which corresponds to the selected cyber agency, delivers an ordered product, wherein the server program comprises:

a module that receives, through an Internet, product information for the agencies from agency web browsers corresponding to the plurality of agencies;

a module that displays on a customer web browser a list of cyber agencies organized by geographic information of the agencies and receives a selection of the one of the listed cyber agencies;

a module that provides a list of products offered by the selected cyber agency to the customer web browser through the Internet;

a module that receives product order information from the customer web browser through the Internet; and

a module that, on request of the agency web browser of the corresponding one agency, provides a paid order information of the corresponding one agency, to the agency web browser of the corresponding one agency through the Internet.

14.   (Original) The recording medium of claim 13, wherein the server program further comprises:

a module that, on request of the customer web browser, retrieves a detailed information on the selected product from the detailed product information database, and provides the information to the customer web browser through the Internet.

15.   (Previously Presented) An integrated Internet shopping mall management system comprising:

a shopping mall server that provides a cyber agency shopping mall for a plurality of agencies comprising:

a customer portion that provides product information and receives a product order from a customer; and

an agency portion that receives the product information from the plurality of agencies over an Internet, displays the agencies according to geographic information of the agencies through the customer portion, and provides paid order information to the agencies; and

a payment server that receives the product order from the shopping mall server and payment information from the customer, handles the payment information for the product order, and sends paid order information to the shopping mall server.

16.   (Original) The integrated Internet shopping mall management system of claim 15, further comprising:

a hyper link corresponding to a web page provided by one of the agencies, that connects the customer to the web page provided by the agency when the hyper link is selected.

17.   (Original) The integrated Internet shopping mall management system of claim 15, further comprising:

a detailed product information database, maintained by at least one of the plurality of agencies, that stores detailed information about the products the plurality of agencies wants to sell; and

a detailed product information unit that provides the detailed product information retrieved from the detailed product information database, to the shopping mall server.

18.   (Original) The integrated Internet shopping mall management system of claim 15, wherein the product information includes at least one of a list of products the one of the agencies wants to sell and a notice from one of the agencies.

19.   (Previously Presented) An apparatus for conducting commerce, comprising:

an agency product information database, maintained by each of a plurality of agencies, containing at least one of product information, detailed product information and an agency notice to customers for each of the agencies;

an agency information handling unit that provides information from the agency product information database to at least one integrated shopping mall over an Internet, the integrated shopping mall providing a listing of agencies organized according to geographic information of the agencies, providing the information to a customer according to an input of desired geographic information received from the customer, accepting a customer order related to the provided information to the customer according to a selection of the customer; and

a paid order handling unit that accepts paid order information from a payment processing unit according to customer order information from the integrated shopping mall and payment information from the customer received at the payment processing unit.

S&H Form: (02/05)
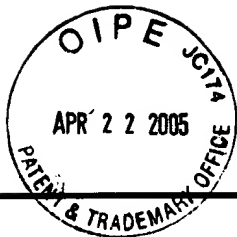
	Attorney Docket No.	1293.1161
REPLY/AMENDMENT FEE TRANSMITTAL	Application Number	09/764,220
	Filing Date	January 19, 2001
	First Named Inventor	Bum-hee LEE
	Group Art Unit	3627
AMOUNT ENCLOSED	$1,520.00	Examiner Name	Ronald Laneau

FEE CALCULATION (fees effective 12/08/04)

CLAIMS AS AMENDED	Claims Remaining After Amendment	Highest Number Previously Paid For	Number Extra	Rate	Calculations
TOTAL CLAIMS	19	- 20 =	0	X $ 50.00 =	$ 0.00
INDEPENDENT CLAIMS	6	- 6 =	0	X $ 200.00 =	0.00

Since an Official Action set an <u>original</u> due date of <u>November 22, 2004</u>, petition is hereby made for an extension to cover the date this reply is filed for which the requisite fee is enclosed (1 month ($120)); (2 months ($450)); (3 months ($1,020)); (4 months ($1,590)); (5 months ($2,160):	1,020.00
Appeal Brief is enclosed, add ($500.00)	. 500.00
If Statutory Disclaimer under Rule 20(d) is enclosed, add fee ($130.00)	
Information Disclosure Statement (Rule 1.17(p)) ($180.00)	
Total of above Calculations =	$ 1,520.00
Reduction by 50% for filing by small entity (37 CFR 1.9, 1.27 & 1.28)	
TOTAL FEES DUE =	$ 1,520.00

(1) If entry (1) is less than entry (2), entry (3) is "0".

(2) If entry (2) is less than 20, change entry (2) to "20".

(4) If entry (4) is less than entry (5), entry (6) is "0".

(5) If entry (5) is less than 3, change entry (5) to "3".

METHOD OF PAYMENT

☒ Check enclosed as payment.

☐ Charge "TOTAL FEES DUE" to the Deposit Account No. below.

☐ No payment is enclosed.

GENERAL AUTHORIZATION

☒ If the above-noted "AMOUNT ENCLOSED" is not correct, the Commissioner is hereby authorized to credit any overpayment or charge any additional fees necessary to:

Deposit Account No. | 19-3935

Deposit Account Name | STAAS & HALSEY LLP

☒ The Commissioner is also authorized to credit any overpayments or charge any additional fees required under 37 CFR 1.16 (filing fees) or 37 CFR 1.17 (processing fees) during the prosecution of this application, including any related application(s) claiming benefit hereof pursuant to 35 USC § 120 (e.g., continuations/divisionals/CIPs under 37 CFR 1.53(b) and/or continuations/divisionals/CPAs under 37 CFR 1.53(d)) to maintain pendency hereof or of any such related application.

SUBMITTED BY: STAAS & HALSEY LLP

Typed Name	Michael A. Bush	Reg. No.	48,893
Signature		Date	4/22/05

#45,317

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